

**MEETING MINUTES**  
**WATER QUALITY ASSURANCE REVOLVING FUND ADVISORY BOARD**

ADEQ, 1110 West Washington, Phoenix Arizona, Room 250

January 26, 2007

**Board Members in attendance:**

Karen Gaylord	Richard Bark
Tamara Huddleston	Hsin -I Lin
Dave Christiana	Amanda Stone
Karen O'Regan	Rick Lavis
Bridget Bero	Steve Besich
Jim Vieregg	Nicholas Wallwork
Karen Masbruch (Nancy Petersen)	Glinda Weddle

**Board Members Absent:**

Lee Stein  
Manuel Ramirez

The meeting was called to order at 9:10

**I. Welcome/Opening Comments/Administrative Issues-**

- A. Meeting Schedule** – Chairman Lavis reminded Board members the next meeting is April 27, 2007 and the year end meeting is June 29, 2007.
- B. Budget Footnotes** – The board has complied with all budget footnotes. Chairman Lavis thanked Mr. Nick Wallwork and Ms. Samantha Roberts for their help.
- C. 2006-2007 Board Priorities** – Chairman Lavis reminded the Board of the priorities
  - 1. Additional Items -**
    - a) Lifting the 18 Million Dollar Cap** – This topic was reviewed by Chairman Lavis. There have been excess fees and the Board would like to keep them. The Department agreed to keep the fees. Legislation has been drafted to lift the cap.
    - b) Review Dry Cleaner Program** – Chairman Lavis wants to bring the issue up for discussion again.
- D. New DWR Representative** – Chairman Lavis received a letter from Mr. Herb Guenther appointing David Christiana as the DWR representative.
- E. 2007 Board appointments** – A number of members are up for appointment.
- F. Receipt of Annual DWR WQARF Report** – The annual report was received on November 15<sup>th</sup>. Copies are available for those that want them.

**II. Approval of September 29, 2006 minutes** – Dr. Bero stated a correction, Part V last paragraph. Calcification should be clarification. Mr. Wallwork moved to adopt the minutes as corrected. It was seconded by Mr. Bark and passed.

- III. Appointment of Nominating Committee** – Ms. Barr and Mr. Lavis will present the new officer recommendations at the April meeting. Chairman Lavis would like to chair the June meeting. Any nominations can be directed to Chairman Lavis.

**IV. Departmental Reports**

- A. ADEQ** – Ms. Roberts summarized the report as given to Board members in their packets. New hires were announced for Tucson and Phoenix. Ms. Roberts announced the dedication ceremony for Shannon Road Site on February 13, 2007. Mr. Jerry Worsham II, Law Office of Gammage & Burnham P.L.C., commented on the East Washington Fluff land sale. He commented that the current property owner is being sued in regard to the way the on-line auction was conducted and further discussed the issues. Ms. Karen O'Regan inquired about the location for the proposed pump and treat system for 56<sup>th</sup> and Earl. Ms. Julie Riemenschneider responded that Freescale is working with SRP at a site near the canal. Chairman Lavis inquired about the broken pipe at Broadway and Pantano. Mr. Bill Ellett responded that the pipe line for an extraction well separated and investigation of the issue is continuing. Ms. Petersen stated that contractor will be hired and the scheduling of the work has begun. The concern is losing capture of the plume. Mr. Lavis inquired about the source of contaminated soils at West Osborn Complex facility. Ms. Roberts was unsure and will get him the information. Discussion ensued about the ongoing issues with Vulture Mill and getting sites off the list. Ms. O'Regan inquired about a leaking underground storage tank near the 7<sup>th</sup> Bethany that might have commingled with the plume. Mr. Didomizio responded about the location of the tank. Ms. Karen Gaylord did not participate in the discussion for this site.
1. **SWAG-** The State Wide Water Advisory Group is putting together bills for funding and rural water infrastructure. Chairman Lavis stated this covered exempt wells, which the Board had previously discussed. Mr. Lavis commented on the statute and had passed it on to some for comment; this topic was dropped. Questions should be directed to Mr. Lavis and copies of the response can be passed out if necessary.
- B. ADWR** – Mr. Christiana summarized his report as given to Board members in their packets.

**V. Action Items**

- A. Adoption of the E&E Revised Scoring Model** - Ms. Gaylord reported that there were few comments on the model. ADEQ made a clarification in the rule in regard to wells. The model was redistributed to board members with the clarification of wells added. The model will be adopted at the next meeting.

- B. Delisting Proposal** – Ms. Stone went over the concept that was handed out to Board members. Ms. Stone stated that the Department would like this to be a work in progress and reevaluate as sites work through the concept. Ms. Gaylord commented that final remedy is a must for the process. Only the final remedy looks at water providers and future need for water so sites need to go to final remedy to be delisted. Mr. Vieregg feels the corresponding statutes should be reviewed to consider delisting to see if an amendment is necessary or if it works before policy is enacted.

Ms. Stone commented that this will need to be looked at on a case by case basis and DUER's will need to be discussed further.

Ms. Roberts went through the eligibility of sites for the list and what the process outlines as provided to Board members. Discussion ensued related to land owner liability/property ownership.

Mr. Bark asked for clarification on the ADEQ view on the VRP program condition. Ms Roberts answered that a site could move to that program and then do nothing due to the voluntary nature. The department doesn't feel this would be good policy. Mr. Bark stated clarification is needed in the concept.

Ms. Stone offered to pick two sites and to go through the process in a smaller setting. Chairman Lavis agreed and Mr. Vieregg volunteered to be on the committee that would handle that scenario. Chairman Lavis asked Ms. Gaylord to chair the committee to discuss this further.

Ms. O' Reagan reminded the Board that the 19<sup>th</sup> Ave site has been delisted.

**C. Incentives for Working Party Participation**

Chairman Lavis stated this is one of the board priorities. Ms. Gaylord summarized the background of this incentive. Ms. Gaylord commented that a list was made of different types of incentives which are still in progress. There is still an interest and further discussion was held on some of the legal issues that have arisen.

Mr. Wallwork suggested relooking at the program to see how successful the program has been at achieving cost recovery.

Chairman Lavis requested Ms. Gaylord and her committee to take on this assignment of incentives for working parties.

**D. Adoption of 10-Year Plan**

Chairman Lavis reminded the Board that this is a board priority for this year. Chairman Lavis wants to know if the Board wants to adopted the 10-year plan or have it be a working document for the staff. The Board further

discussed the topic. Mr. Bark felt the current chart is a good indicator of the plan and progress of the program.

Chairman Lavis offered the 10-year plan to be a working document and it will be used for references purposes.

**E. Dry Cleaner Program**

Chairman Lavis asked Mr. Stein to convene his committee to take a look at the dry cleaner program for next year, particularly with the report now available.

Chairman Lavis asked for ADEQ, by March 1<sup>st</sup>, to present all the dry cleaner sites, all the money spent on them to date and the condition of the potential responsible party search per site.

Mr. Wolf and the department will be consulted with on the program and Mr. Vieregg offered to attend any meetings on the subject.

**VI. Committee Reports**

**A. Budget & Finance Committee –**

**1. 2006-2007 Budget & Expenditure Reports –**

Mr. Wallwork commented that there was some savings in the support staff category as per the 12/31/06 handout. There were 22% of expenditures spent. Cost recovery has gone over \$1 million dollars. Mr. Wallwork thanked his committee members and others with the work done on the budget.

**B. Legislative Committee –**

**1. Lifting of the \$18 Million Cap –** Mr. Bark stated that the WQARF program received full funding. Bill number 1441 was filed with the legislature and the importance has been conveyed to the sponsors.

Mr. Bark suggested a presentation on the WQARF program to the House Environmental Committee on Feb. 7<sup>th</sup> at 1:30 pm. ADEQ requested to be present at the meeting.

Mr. Bark also commented on a bill being proposed, 2291 (1112), the toxic fire bill, that has a fiscal note that identifies WQARF as a funding site for ADHS. Chairman Lavis gave a history of the bill origin. The question is whether the money is being used for the correct aspects. A meeting will be held on this bill in the future.

**2. 2008 Appropriations**

**C. Technical Committee**

**1. Role of Committee –**Chairman Lavis commented about responding to the fiscal footnotes and the role of this committee to meet that requirement. This committee needs a chairman and

questions have arisen about the data used to prove the case for WQARF. Chairman Lavis will discuss this more in April.

**VII. Other Business** – None.

**VIII. Public Comment** – None

**IX. Adjournment-** Ms. O'Regan moved and Mr. Wallwork seconded for adjournment.